



**COZZARELLI LAW FIRM, P.A.  
ATTORNEYS AT LAW**

**FRANK J. COZZARELLI**

**ADAM DUBECK  
STEPHEN DRAGONE\*\*\*  
\*\*\* NJ & NY BAR**

**727 JORALEMON STREET  
BELLEVILLE, N.J. 07109  
(973) 751-4104  
FAX (973) 751-7066  
E-MAIL F.COZZARELLI@ATT.NET**

**FRANK COZZARELLI, JR.\*  
OF COUNSEL  
\*PATENT ATTORNEY  
MARK WEISSMANN\*\*  
\*\*NJ & NY BAR**

October 9, 2003

**TRANSMITTAL LETTER ACCOMPANYING PROTEST UNDER RULE 291(a) and 291(b)**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Re: Protest under 37 C.F.R. 1.291(a) and Public Use under 37 C.F.R. 1.291(b);

In re Application of:	W. Jeffrey Chandler et al
Serial No.	09/834,175
Publication No.	US2002/0032599
Publication date	March 14, 2002
Filed:	April 12, 2001
Title:	SYSTEM AND METHOD FOR VENTURE ACCLERATION

**RECEIVED**  
APR 12 2004  
**GROUP 3600**

Dear Sir:

The following documents are transmitted herewith for appropriate action by the Patent and Trademark Office:

- Petition for Institution of Public Use Proceeding;
- Affidavit in support of Petition to Institute Public Use Proceedings;
- Power of Attorney;
- Protest under 37 C.F.R. 1.291(a) and 291(b);
- Form PTO-1449 and a copy of each of the cited references;
- Certificate of Service;
- Fee check for \$1510.00 for Protest; and
- Return postcard.

Respectfully submitted:

Frank Cozzarelli, Jr.  
Attorney for Protestor  
Reg. No. 31343  
Cozzarelli Law Firm, P.A.  
727 Joralemon Street  
Belleville, NJ 07109  
973-751-4104



3629

**COZZARELLI LAW FIRM, P.A.  
ATTORNEYS AT LAW**

ADAM DUBECK  
STEPHEN DRAGONE\*\*\*  
\*\*\* NJ & NY BAR

April 5, 2004

727 JORALEMON STREET  
BELLEVILLE, N.J. 07109  
(973) 751-4104  
FAX (973) 751-7066  
E-MAIL F.COZZARELLI@ATT.NET

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\*PATENT ATTORNEY  
MARK WEISSMANN\*\*  
\*\*NJ & NY BAR

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**GROUP 3600**

Re: Prior Art material for consideration in the application as follows.

In re Application of:	W. Jeffrey Chandler et al
Serial No.	09/834,175
Publication No.	US2002/0032599
Publication date	March 14, 2002
Filed:	April 12, 2001
Title:	SYSTEM AND METHOD FOR VENTURE ACCLERATION
Examiner:	Dixon, Thomas A.

**Prior Art Information**

Dear Sir:

Attached is material I previously submitted as part of a PROTEST UNDER RULE 291(a) and 291(b) to the subject published application. It was dismissed by Examiner Eugenia Jones on March 5, 2004 because it was not timely. Certainly this material is worthy of consideration as prior art information that was in the public domain **prior** to the application publication date and the filing date. Publication of this prior art material was on the Internet, in various newspapers, trade journals, announcements, and most importantly I sent it to the inventor, W. Chandler, as required in the filing of a protest. Applicant should also report it to the examiner and add it to the applicant's Information Disclosure Statement. Examiner Jones stated that the information would be discarded and she would not forward it to the examining person, since I could do that myself. I request that the material be considered as prior art information for the subject application.

With regard to the Protest dismissal, the rule states the Protest must be submitted prior to the date the application was published or the mailing of the notice of allowance, **whichever comes first**. That has to be an error. How can one file a protest prior to the publication of an **application when it is held confidential in the Patent Office?** **Of course, one can file a Protest prior to the notice of allowance as I did.**

Respectfully submitted:

Frank Cozzarelli, Jr.  
Reg. No. 31343  
Cozzarelli Law Firm, P.A.  
727 Joralemon Street  
Belleville, NJ 07109  
973-751-4104

Cc: Eugenia Jones, Senior Legal Advisor